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FOURTEENTH YEAR. 10 PAGES. PHOENIX, ARIZONA, WEDNESDAY MORNING, DECEMBER 23, 1903. 10 PAGES. VOL. XIV. NO. 223

## LIVING ISSUES

Only for Consideration by The Hague Tribunal

### PANAMA QUESTION DEAD

The Only Thing Colombia Can Submit With Propriety Is the Manner of the Division of Her Debt, Which Would Be a Recognition of Panama.

Washington, D. C., Dec. 22.—"Refusal by the United States to consent to a proposition from Colombia for a conference of the canal question to The Hague tribunal is expected and will be fully approved by the European powers."

"This statement was made to a representative of the Associated Press tonight by a European ambassador of high rank and influence. It has already been made in substance, though in rather more diplomatic language to Gen. Rafael Reyes, the Colombian minister, who is expected in his forthcoming note to the state department to suggest The Hague tribunal as the proper place for the settlement of the isthmian problem. Whether the knowledge that the refusal of such a request, so far from prejudicing the European powers against the Wash-

ington government will call forth their emphatic endorsement, will cause Gen. Reyes to modify his note, is not yet certain.

The ambassador quoted in explaining the attitude of the European powers said: "Panama is a closed chapter in the history of nations and The Hague court is not the place for settled questions, but for pending problems, which are referred to it with the full approval of all the parties interested. When Russia, Germany and France recognized the independence of Panama they set their seal of approval on the prompt action of the Washington government in pledging itself to guarantee and maintain the independence of the republic it had previously recognized. Nations can hardly be expected to settle questions of sovereignty or national honor at The Hague. Moreover, in my opinion it would not be within the province of the Washington government to grant such a request from Colombia. It is to Panama, not to Washington, that Colombia should take such a proposition.

"There is, however, a question between Colombia and Panama which, with all propriety, might be referred to The Hague and to which reference the United States will scarcely offer objection. It is the question of the assumption by Panama of a part of the Colombian debt. If Gen. Reyes should ask the United States to use its good offices to have this matter brought before The Hague, Panama might safely acquiesce in such a proposition. The difficulty in making this request will be that Colombia would thereby recognize the independence of the new republic, but this must come sooner or later."

At the navy department the statement is made tonight that the instructions to the naval commanders in the isthmian waters to "prevent the landing of forces with hostile intent" have not been modified. These instructions, it is believed, are sufficiently comprehensive to enable the commanders to maintain open transit across the isthmus and to protect the new republic from Colombian expeditions.

### PRIZE FIGHTER DISCHARGED.

Was Not Held Responsible for the Death of Pendergast.

Sacramento, Cal., Dec. 22.—Frank Solomon, the pugilist known as Kiki Williams, who was arrested for manslaughter after the death of Tom Pendergast who died from concussion of brain from blows received in a fight last Friday night was discharged in the city justices court today. The others who were implicated in the affair were also discharged.

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## PANAMATURNEDOUT

Arrival of U. S. Minister to the New Republic

Neither He nor the Isthmians Excited by Fear That the Senate Will Oppose His Confirmation.

Panama, Dec. 22.—W. I. Buchanan, United States minister to the republic of Panama, arrived here today accompanied by United States Consul General Guderer, who met him at Colon. Mr. Buchanan was received at the railway station by Senor Esprella, minister of foreign relations, United States Vice Consul German, several officers of the United States navy, many native and foreign residents and a company of soldiers, whose band paid honors to the minister.

Though Minister Buchanan has not officially announced when he will present his credentials, the Associated Press correspondent is informed that he will do so within a day or two.

The reports that the appointment of Minister Buchanan will be declared invalid by the United States senate seem to impress neither the minister nor the members of the junta. The republican band serenaded Minister Buchanan tonight.

### ADAM WALKER'S RETURN.

Washington, Dec. 22.—A full and detailed report of the condition of affairs on the isthmus as he saw them will be made to President Roosevelt and to Secretary Hay by Admiral John G. Walker, chairman of the isthmian canal commission who returned to Washington from Colon tonight. The admiral's stay on the isthmus covered a period of about four weeks, during which time he went over the ground very thoroughly particularly with reference to the condition of the canal property. Admiral Walker went to Colon as the representative of the president soon after the republic was proclaimed and in this capacity he has had an excellent opportunity to acquaint himself with what has occurred.

### NO PLACE FOR IDLERS.

Victor, Colo., Dec. 22.—Mal. H. A. Naylor, who commands this district in the absence of Col. Verdeckberg, says an order will be made early next week that all having no employment or visible means of support shall be given the alternative of one of three things, either go to work, leave the district or go to the bull pen for an indefinite time.

### O'BRIEN GOT THE DECISION.

Sullivan Made it a Rather Even Contest.

Boston, Dec. 22.—Philadelphia Jack O'Brien won the decision over Twin Sullivan in a fifteen round bout at the Criterion club tonight. At the ring side O'Brien weighed in at 158 pounds while Sullivan tipped the scales at 153. Sullivan was the aggressor from the first round and O'Brien's fancy leads were blocked and countered prettily. O'Brien's tactics were almost entirely defensive up to the ninth round when

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If so and do not know what to buy for your sweetheart, wife or friend for Christmas, I would advise you to smooth wrinkles from your face, visit my up-to-date confectionery store at once and take a good sleep tonight.

For what is more appropriate for a dainty Christmas present than a box of Sanichas' delicious supremus or mixed bon bons?

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## DWIGHT B. HEARD

Center and Adams Street.

Sullivan's right eye was closed by a well aimed blow. After that O'Brien had little difficulty in reaching him. In the thirteenth round, however, O'Brien received a similar injury and the men were again on equal terms. In the fifteenth round there was a warm mix up.

### MINORS CANNOT ENLIST.

A Decision as to the United States Marine Corps.

Washington, Dec. 22.—In the supreme court of the District of Columbia, today, Justice Clabaugh granted the petition of George F. Harris for a writ of habeas corpus for the discharge of his son, Harry F. Harris of the United States marine corps on the ground that the boy was but nineteen years of age.

The court held that the statute permitting the enlistment in the navy of boys between fourteen and eighteen years does not apply to the marine corps and the supreme court of the District of Columbia decided in effect that a minor cannot be enlisted in the marine corps without the consent of his parents or guardian.

## ABUSE TO BE REMEDIED

The Practice of Throwing American Railroad Men Into Mexican Jails.

Washington, Dec. 22.—Complaints having reached the state department from many sources during the past few years that American citizens employed in various capacities on the railroads of Mexico frequently had been arrested and imprisoned in that republic on the charge of criminal negligence in railway wrecks, homicides, etc., and had been held for long periods without trial, the United States ambassador to Mexico was directed by Secretary Hay to examine into these cases and bring the subject to the attention of the Mexican government with a view to ameliorating conditions which appeared to exist.

As a consequence of Mr. Clayton's representations to the Mexican foreign office an important circular letter has been issued by the Mexican department of justice and sent to the district and circuit courts throughout that republic advising against the arrest and imprisonment of such railway employees except on a strong presumption of guilt and directing them in all cases to expedite judicial proceedings as rapidly as possible. The provision for the release of the accused on bail also is made wherever the nature of the offense will permit it.

Ambassador Clayton has reported to the department of state that of forty-three cases of American railway men arrested since June, 1901, thirty-eight have been disposed of and in three of the remaining five the men who were released on bail fled to the United States. In two instances only are proceedings still pending.

## COMMERCIAL AFFAIRS

On the Eve of the Holidays Nothing is Doing.

New York, Dec. 22.—Today's stock market was only nominal and the greater part of the day was spent in complete idleness by the brokers.

### STOCKS.

Aetna, 67 1/2; do. pfd., 91 3/4; N. J. C., 100; C. & O., 32 1/2; E. I. du Pont, 75; C. & S., 12 1/2; do. pfd., 51; do. 2nd pfd., 22; Erie, 20 1/2; Great Nor. pfd., 160; Manhattan, 14 1/2; Metropolitan, 122 1/2; Mo. Pac., 90 1/2; N. Y. C., 118 1/2; Penn., 117 1/2; St. L. & S. F., pfd., 60; do. 2nd pfd., 40 1/2; St. Paul, 124 1/2; So. Pac., 47 1/2; Union Pac., 78 1/2; Amal. copper, 47 1/2; sugar, 12 1/2; Anaconda, 73; U. S. steel, 10 1/2; do. pfd., 54 1/2; W. U., 85 1/2; Santa Fe cop., 14.

### BONDS.

Bonds reg. 28 reg. 100; coupon, 104 1/2; 3s reg., 107 1/2; coupon, 107 1/2; new 4s reg., 123 1/2; old 4s reg., 109 1/2; coupon, 110 1/2; 5s reg., 101 1/2; coupon, 101 1/2.

### WOOL.

Boston, Dec. 22.—Buyers have taken over large orders of wool in the market during the past week at prices remaining five cents above the established. The act also provides that the civil governor might fix by proclamation a date not earlier than Jan. 1, 1904, when Mexican dollars shall cease to be receivable for public duties. The fluctuation in the ratio during the last two years has caused much loss to the insular government in the depreciation in value of the stock of Mexican dollars in the insular treasury.

### METALS.

New York, Dec. 22.—Copper gained 28, 2d in London to 556, 15s for spot and 556, 7s, 6d for futures, locally copper was dull and unchanged.

Lake is quoted at 12.37 1/2@12.50, electrolytic, 12.25@12.30; casting, 12.12 1/2@12.25 1/2.

Lead also was lower in London declining 2s, 6d to 41 1/2, 9d, but was steady here at 43 1/2.

Spelter was unchanged at 21, 7s, 6d in London and at 500 in the local market. Bar silver, 50 1/2; Mexican dollars, 42 1/2.

### CATTLE AND SHEEP.

Chicago, Dec. 22.—Cattle—Receipts, 4,000; market steady. Good to prime steers, \$4.90@5.75; poor to medium, \$3.25@4.80; stockers and feeders, \$1.75@3.40; cows, \$1.50@3.20; heifers, \$2.00@3.45; calves, \$1.50@3.20; bulls, \$2.00@3.40; calves, \$2.00@3.50.

Sheep—Receipts, 14,000; sheep steady to strong; lambs steady. Good to choice wethers, \$2.50@4.00; fair to choice mixed, \$2.75@3.50; western sheep, \$2.25@3.75; lambs, \$4.00@5.75; western lambs, \$3.75@5.50.

### GRAIN.

Wheat opened at 82 1/2 to 83c; went down to 82 1/2 and closed at 82 1/2. May corn closed at 43 1/2 after opening at 42 1/2 to 43 1/2 and selling between 42 1/2 and 43 1/2.

After selling between 36 1/2 and 37 1/2. May oats closed at 37.

## MINNESOTA'S CASE

Brief Merger Suit Filed in U. S. Supreme Court

Contents Among Other Things That Defendant Was Born for Evasion of the Laws of Plaintiff.

Washington, Dec. 22.—The brief of the state of Minnesota in the suit of that state against the Northern Securities company was filed in the supreme court of the United States today by Attorney General Douglas and Messrs. Munn and Wilson.

They contend that the merger of the Northern Pacific and Great Northern companies into the Northern Securities company was for the purpose of settling competition.

After stating that the action was brought to enjoin the consolidation of the two railroad companies because they parallel and competing lines within the state of Minnesota and that the circuit court of the United States for the Eighth circuit decided the case contrary to the contention of the state, the attorneys present their assignment of errors on the part of the circuit court.

There are twenty-nine of these assignments but the principal ones are that the decree is erroneous in holding that the Northern Securities company was not organized for the purpose of the consolidation of the two appellee railroad companies; in holding that the owners of stock of the two railway companies by the Northern Securities company does not amount to a consolidation within the meaning of the acts set forth in appellants bill; in holding that the Northern Securities company does not in fact control the two railway companies by virtue of its ownership of the stock of such railway companies and in not holding that the Northern Securities company was intended by its incorporators to be and is a device for evading the laws of the state.

In the course of relating the facts of the consolidation of the two roads reference is made to the joint circular letter of the federal agents of the Northern Pacific and Great Northern roads on Jan. 23, 1902, and it is declared that the effect of this circular letter was to withdraw all competition for business between the railroads within the state of Minnesota and to compel the shipper to ship freight via the road having the shorter route, or else pay to the road having the longer route a greater freight rate, "and not only" they say "was all competition, so far as rates were concerned withdrawn or destroyed, but all effort to secure business and all benefits resulting therefrom by the shippers on the line of said railroads within the state of Minnesota, were absolutely destroyed."

In their argument on the facts in the case counsel contend that the two lines are both parallel and competing and that the Northern Securities company was organized solely for the purpose of consolidating and unifying the control of the Great Northern and Northern Pacific railroads and as a means of evading the laws of the state of Minnesota prohibiting such consolidation.

## MEX IN THE PHILIPPINES

Too Dobbies Receivable for Duties at Least Until January 1.

Washington, Dec. 22.—In a proclamation issued by Gov. Taft of the Philippines, dated Oct. 23, 1903, and made public today by the war department, announcement is made that Mexican silver dollars shall be receivable for public duties until Jan. 1, 1904, at the rate of \$2.20 of Mexican currency for one dollar of money of the United States unless the rate shall be subsequently changed by proclamation.

The Philippine coinage act provides that when a sufficient supply, not less than 5,000,000 of the Philippine pesos, was available for circulation in the islands, the new unit of value should be established. The act also provides that the civil governor might fix by proclamation a date not earlier than Jan. 1, 1904, when Mexican dollars shall cease to be receivable for public duties. The fluctuation in the ratio during the last two years has caused much loss to the insular government in the depreciation in value of the stock of Mexican dollars in the insular treasury.

## BOTH ARE CONCILIATORY

The Chicago Drivers Strike Will Probably Be Arbitrated.

Chicago, Dec. 22.—The Liverymen's association at a meeting this afternoon decided that unless a peaceable settlement of the drivers' strike was reached tomorrow they would open for business with non-union employees and would appeal to the courts for an injunction to prevent the strikers from interfering in any manner with the driving of carriages or hackneys. Word of the injunction proposal reached the strikers just as the vote had been completed to a submission of the issues in the controversy to arbitration and the action of the employers was bitterly criticized by the men. No announcement of the vote of the strikers was made, but the general impression was that arbitration had been accepted.

At the same time that the men were voting on the question of conciliation, the members of the Liverymen's association declined to submit the whole difficulty to arbitration, provided the strikers took the initiative in the matter and that the demand for a peace-

able settlement should come from the men. In anticipation of the proposition being accepted by the men a committee was appointed to receive any overtures that the union might be willing to make. The union officials were immediately notified of the decision reached by the employers and the latter, it is said, will have a reply ready tomorrow morning.

### A GHAZLY LABEL.

Chicago, Dec. 22.—While the members of the Livery Drivers' union was considering arbitration today, the first "union label funeral" since the strike began was held. A corpse was removed from a dead wagon, bearing a placard proclaiming that the vehicle was owned by an undertaker paying the union scale. Carriages containing the mourners were similarly labeled.

### HARD TO GET A JURY.

A Week Already Spent in Opening the Sun and Moon Trial.

Georgetown, Colo., Dec. 22.—Judge De France who for more than a week has been trying to secure a jury for the trial of the men accused of dynamiting the Sun and Moon mine building at Idaho Springs, this morning ordered two open venires for tomorrow. Late this evening there were twelve men in the jury box who had not been excused, when counsel for the defense created considerable surprise by announcing that the defense would accept them.

The prosecuting attorney was not prepared to announce his position and the court adjourned for the day. It is not believed that the twelve men in the box will be acceptable to the prosecution.

### ALEXANDRETTA AFFAIR.

Alexandretta, Syria, Dec. 22.—Attorney the naturalized American, whose arrest by the Turkish authorities caused United States Consul Davis to leave Alexandretta, has been liberated. The governor of Alexandretta today made an official call upon United States Consul Davis and formally apologized for the indignities suffered by the consul.

Admiral Cotton left here tonight on the United States cruiser San Francisco for Beirut.

### AN ASPHALT ASSESSMENT.

The Share Holders Asked to Put up the Rest of the Stock.

Newark, N. J., Dec. 22.—Judge Kirkpatrick in the United States circuit court today, signed an order permitting Henry Tattall, receiver of the National Asphalt company, to issue a call assessing the shareholders of the asphalt company of America, for which he is receiver, in the sum of \$24,000.00. This sum represents the unpaid portion of the latter company's capital stock.

The application for the order was opposed by attorneys representing the defendant stockholders.

## THE GILLESPIE MURDER

A Twin Brother of the Victim One of the Accused.

Rising Sun, Ind., Dec. 22.—In its report of the investigation of the assassination of Miss Elizabeth Gillespie on December 8, the grand jury this afternoon returned true bills of murder in the first degree against James Gillespie, a twin brother of the murdered woman, Mrs. Belle Seward her widow's sister, Mrs. Carrie Barber, the niece of Dr. Fred A. Rosamy, an eminent physician of Cincinnati and Myron Farbour, her husband. Mrs. Barber is a sister-in-law of Dr. William Gillespie, brother of the murdered woman.

The Gillespies were expecting arrest, and Dr. Gillespie drove to the home of the accused in a closed carriage and brought the indicted persons to the court house, surrendering all of them to the court. A newspaper photographer attempted to take a snap shot of the party and was struck by James Gillespie, who broke away from Sheriff Rump and knocked the camera from the hands of the newspaper man.

The four indictments were read to the accused. They showed no emotion with the exception of Myron Farbour. The indictments charged them with "feloniously, maliciously and with premeditated intent" causing the death of Elizabeth Gillespie.

A conspiracy among the members of the murdered woman's own family to kill her is charged. James Gillespie, the twin brother, is the one who is charged as the principal, although all are charged with murder in the first degree. Each entered a plea of not guilty. It is stated that some of the prisoners will be taken to Lawrenceburg and Aurora, and that they will be kept in separate confinement.

### AN OFFICIAL DISTILLERY.

Servants of the United States Caught Running it.

Chicago, Dec. 22.—Charged with operating a distillery in the center of a fashionable shopping district of Chicago, five officers and inspectors of the Columbus laboratory were today arrested by United States deputy marshals.

One of the five prisoners is United States Commissioner Solomon. The laboratory was located in a skyscraper office building at the corner of Washington and State streets.

### WEATHER TODAY.

Washington, Dec. 22.—Arizona: Fair Wednesday and Thursday.

### THE CZAR'S PICTURE.

St. Petersburg, Dec. 22.—The czar has sent his photograph with his autograph affixed to Wm. J. Bryan. Ambassador McCormick gave a luncheon today to Mr. Bryan which Prince Khilkoff, minister of public works and railroads and other high officials attended.

## URGENT JAPS

What Russia Does Now Must Be Done Quickly

### PATIENCE AT AN END

Popular Sentiment Spurring the Insular Government on—The Significance of the Unusual Visit of Japanese Foreign Minister.

Tokio, Dec. 22.—The fact that Foreign Minister Komura called on Baron De Rosen, the Russian minister yesterday instead of Baron Rosen calling on Komura, is explained by the fact that the baron is suffering from an ear affection. But the explanation has obvious diplomatic significance and is interpreted that Japan is determined not to afford Russia a possible ground for claiming Japanese impetuosity as an excuse. Komura's communication is not believed officially to necessarily be tantamount to an ultimatum as rumored.

War preparations continue apace. The troops and warships can sail at five minutes' notice. The Japanese government proposes immediately to undertake the completion of the Seoul Fusan railroad under the direct supervision of Japan.

Popular sentiment and the press are eagerly urging the government to set a limit to the Russian tactics of aggression and insolent negligence. It is asserted in official circles here that the Japanese reply to Russia rejects the fundamental points at issue, which are understood to include mutual guarantees for the preservation of Chinese and Korean sovereignty while securing their individual interests.

The situation is graver than since the commencement of the negotiations, but is still susceptible of pacific solution if Russia will quickly reconsider her reply.

### DOES NOT EXPECT WAR.

London, Dec. 22.—The Japanese consul general in London said to the Associated Press: "I share the view of Baron Hayashi (Japanese minister to Great Britain), that war will not break out. In view of the secrecy with which the negotiations have been conducted at Tokio and St. Petersburg, it seems to me that many of the reports reaching this country concerning what has been going on are based on misinformation."

An official of the Yokohama specie bank said: "There is nothing in our advice to lead to the belief that there will be war. Business telegrams were received today, the nature of which would not be likely if war was regarded as imminent."

Other leading Japanese business men expressed similar views.

### BETWEEN TWO FIRES.

Peking, Dec. 22.—Chinese officials are awakening to the peril confronting China in the event of a Russo-Japanese war and they are greatly distressed. Wu Ting Fang has been urging the United States legation on his own responsibility to seek a special audience of the dowager empress and impress upon her China's perilous position and the need of an army and ministers who are acquainted with foreign affairs.

China will attempt to remain neutral, though doubtless she will be subjected to strong Japanese pressure to participate in a conflict for the preservation of her integrity.

The officials here recognize that the remnant of China's sovereignty in Manchuria is lost if Russia succeeds and they see the difficulty of China avoiding becoming tangled in a war in her own territory.

### JAPANESE GATHER SHIPS.

London, Dec. 22.—The Daily Mail's Kobe correspondent says it is reported that the Japanese government is chartering numerous steamers as transports including three belonging to the Nippon Yusen Kaisha, a Japanese steamship company.

At the London offices of the Nippon Yusen Kaisha, in response to inquiries, it was declared that nothing was known there of such an action on the part of Japan. The officials of the company expressed an opinion that there would be no war and that there had not been an intimation received by the company that the government desired to acquire its steamers. As a matter of

(Continued on Page Three.)

## Ostrich Farm

Capitol Addition.

NOW OPEN!

Fifty Gigantic Ostriches.

Special consignment of extra fine plumes and bous for the Christmas trade received from the factory today. On sale at producers' prices.

West End of Washington St. Car Line.